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**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY**

**IN RE:** Lamark & Coretta Mack

**Case No:** 17-14718  
**Chapter 13**

**NOTICE OF MOTION TO:**

- 1. COMPEL MARINER FINANCE TO TURNOVER DEBTORS' VEHICLE**
- 2. SANCTIONS AGAINST MARINER FINANCE**

**HEARING DATE:** 4/11/17

**TO: Mariner Finance**  
**Attn: President**  
**8211 Town Center Drive**  
**Nottingham, MD 21236**

**PLEASE TAKE NOTICE** that on the 11 day of April, 2017 at 10:00 A.M., the undersigned, attorney for Debtors, shall make application to this Honorable Court for an Order to: 1. Compel Mariner Finance to Turnover Debtors' Vehicle; 2. Sanctions Against Mariner Finance.

**PLEASE TAKE FURTHER NOTICE** that the undersigned shall rely upon the attached Certification of Lamarck Mack, exhibits annexed hereto, the arguments of counsel and such other and further proofs as may be adduced at the hearing hereof.

**PLEASE TAKE FURTHER NOTICE** that the moving party believes that no brief is necessary in support of the within application due to the fact that the matter involves no complex issues of law or fact.

**PLEASE TAKE FURTHER NOTICE** that if you wish to contest the within Motion, you must file opposition with the office of the Clerk of the Bankruptcy Court, and serve upon the undersigned, 7 days in advance of the aforesaid hearing, your responding papers stating with particularity the basis of your opposition to the within Motion. A copy of the proposed Order which is sought is enclosed with this Motion.

**Dated: March 17, 2017**

**/s/ Seymour Wasserstrum**  
**Seymour Wasserstrum, Esq.**  
**Attorney for Debtors**

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**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY**

**IN RE:** Lamark & Coretta Mack

**Case No:** 17-14718  
**Chapter 13**

**CERTIFICATION OF LAMARCK MACK IN SUPPORT OF MOTION FOR TURNOVER  
OF VEHICLE**

I, Lamarck Mack, am the debtor in this case and I am authorized to make this certification. I certify that all statements made by me are true and correct and I am aware that if any statements are willfully false I am subject to punishment for false swearing.

1. I along with my wife filed a Chapter 13 bankruptcy on March 10, 2017 to save our 2007 Nissan Titan which had been repossessed by Mariner Finance.
2. My attorney's office has contacted Mariner Finance since our case has been filed and has provided proof of bankruptcy filing however they still have not released our vehicle.
3. Moreover, when my attorney contacted Mariner Finance, the employee with whom my attorney spoke named "Pete" informed him that he has spoken with Mariner Finance internal counsel, and informed my attorney that their position was that they

did not intend on returning the vehicle because it was repossessed prior to the bankruptcy filing.

4. I need my vehicle to go to and from work.
5. If I do not have my vehicle and am unable to get to work I will lose my job.
6. We plan on repaying Mariner Finance through the chapter 13 plan.
7. I also have proof of full insurance on my vehicle.
8. I am therefore asking the court to order that Mariner Finance release and return my vehicle.

I, Lamarck Mack, certify that all statements made by me are true and correct and I am fully aware that if any statement is willfully false I am subject to punishment for false swearing.

**Dated: March 17, 2017**

**/s/ Lamarck Mack, Debtor**  
**Lamarck Mack, Debtor**

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Caption in Compliance with D.N.J. LBR 9004-2(c)**

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Attorney for Debtor(s)

Case No.: 17-14718

Chapter: 13

Adv. No.: N/A

Hearing Date: 4/11/17

Judge: JNP

In Re:

Lamark Mack  
Coretta Mack

**ORDER TO:**

**1. COMPEL MARINER FINANCE TO TURNOVER DEBTORS' VEHICLE**

**2. SANCTIONS AGAINST MARINER FINANCE**

The relief set forth on the following page, numbered two (2) is hereby **ORDERED**.

(Page 2)

**Debtors:** Lamarck Mack and Coretta Mack

**Case No.:** 17-14718

**Caption of Order:** 1. Compel Mariner Finance to Turnover Debtors' Vehicle; 2. Sanctions Against Mariner Finance

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Upon consideration of Lamarck Mack and Coretta Mack's Motion to: 1. Compel Mariner Finance to Turnover Debtors' Vehicle; 2. Sanctions Against Mariner Finance. and for good cause appearing therefore; it is hereby

**ORDERED AND ADJUDGED** that Mariner Finance release Debtors' 2007 Nissan Titan to debtors within 24 hours of the signing of this order; and

**IT IS FURTHERED ORDERED** that Mariner Finance pay \$750.00 in attorney's fees to the Law Offices of Seymour Wasserstrum within fifteen (15) days of the signing of this order